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April 12, 2013

**VIA ECF**

Honorable Joseph A. Dickson  
MLK Building & U.S. Courthouse  
50 Walnut Street, MLK 2D  
Newark, NJ 07016

Re: United States of America, ex rel David Morgan v. Express Scripts, Inc. et al.  
Civil No.: 2:05-cv-01714 (DMC)(JAD)

Dear Judge Dickson:

We represent Defendants Express Scripts, Inc. ("ESI") and Medco Health Solutions, Inc. ("Medco"), in the above-referenced matter. Currently pending before this Court is a *pro hac vice* application filed by this office on behalf of Elizabeth Mitchell. The motion has been set for May 6, 2012. In accordance with instructions provided by your clerk earlier this week, please find enclosed the requested certification of Elizabeth Mitchell. We respectfully request that this certification be appended to the previously filed application for Ms. Mitchell and apologize for any inconvenience this has caused the Court. Thank you.

Very truly yours,

/s/ Daniel W. Lageman  
Daniel W. Lageman

AM 10011545

UNITED STATES DISTRICT COURT FOR THE  
DISTRICT OF NEW JERSEY

UNITED STATES OF AMERICA, *ex rel.*  
DAVID MORGAN,

Plaintiff,

v.

EXPRESS SCRIPTS, INC., et al.,

Defendants.

Civil No.: 2:05-cv-01714 (DMC)(JAD)

**CERTIFICATION OF ELIZABETH  
MITCHELL IN SUPPORT OF  
APPLICATION TO ADMIT *PRO*  
*HAC VICE***

I, ELIZABETH MITCHELL, say:

1. Under Local Civil Rule 101.1(c), I make this Certification in support of my application for admission *pro hac vice* on behalf of Defendants Express Scripts, Inc. and Medco Health Solutions, Inc. (“ESI”, “Medco” or “Defendants”) in the above-captioned action.

2. I am a Partner at the law firm of Holland & Knight, LLP located at 10 St. James Avenue, 11th Floor, Boston MA 02116. I am a member in good standing with the Massachusetts State bar and have enclosed in support of this application an authentic Certificate of Good Standing.

4. I am not now and never have been subject to any disciplinary proceedings in any bar in which I am admitted to practice, nor have I ever been disbarred or formally censored by a court of record or by a state bar association. I will immediately notify the Court of any matter affecting my standing at the bar of any other court.

6. I agree to submit to this Court’s jurisdiction for discipline. I also agree to follow the rules and procedures of this Court, New Jersey’s Rules of Professional Conduct, Local Civil Rule 101.1(c) and any additional procedures required of the Court. Additionally, I will ensure


that the appropriate payment is made on my behalf to the New Jersey Lawyers' Fund for Client Protection as required by New Jersey Court Rule 1:28-2(a). I also will arrange for payment of \$150.00 to the Clerk of United States District Court for the District of New Jersey as required by Local Civil Rule 101.1(c)(3).

7. Daniel W. Lageman, also counsel for ESI and Medco, is an associate with Edwards Wildman Palmer LLP in Madison, New Jersey. As set forth in his Certification, Mr. Lageman is a member in good standing of the Bar of the State of New Jersey and is admitted to practice before this Court. He has certified that he, or another attorney associated with Edwards Wildman Palmer LLP that is admitted to practice before this Court and who has filed an appearance in this action, will be responsible for filing and signing all papers on behalf of ESI and Medco in this action and also will be responsible for ensuring that attorneys for ESI and Medco who have been admitted *pro hac vice* receive all notices, orders, pleadings or other paper filed with or issued by the Court in this matter.

8. I, therefore, respectfully request that the Court enter an Order allowing me to appear and participate in this action *pro hac vice* to assist in the representation of Defendants ESI and Medco.

I declare under penalty of perjury that the foregoing is true and correct.

Dated: April 12, 2013

  
Elizabeth Mitchell, Esquire

## COMMONWEALTH OF MASSACHUSETTS

SUFFOLK, SS.

BE IT REMEMBERED, that at the Supreme Judicial Court holden at Boston within and for said County of Suffolk, on the seventeenth day of December A.D. 1997, said Court being the highest Court of Record in said Commonwealth:

Elizabeth Mitchell

being found duly qualified in that behalf, and having taken and subscribed the oaths required by law, was admitted to practice as an Attorney, and, by virtue thereof, as a Counsellor at Law, in any of the Courts of the said Commonwealth: that said Attorney is at present a member of the Bar, and is in good standing according to the records of this Court\*.

In testimony whereof, I have hereunto set my hand and affixed the

seal of said Court, this sixth day of March

in the year of our Lord two thousand and thirteen.



  
MAURA S. DOYLE, Clerk

\* Records of private discipline, if any, such as a private reprimand imposed by the Board of Bar Overseers or by any court, are not covered by this certification.